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**CERTIFICATE OF FACSIMILE**

I hereby certify that this correspondence for Application No. 10/711,636 is being facsimile transmitted to Mail Stop Petitions via fax number (703) 872-9306 on March 21, 2005.

*Steven W. Benintendi*  
Steven W. Benintendi, Reg. No. 56,297

3/21/05  
Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.: 10/711,636  
Filed: September 29, 2004  
Group Art Unit: 2875  
Examiner: Stephen F. Husar  
Applicant: Bogdan Radu and Alan G. Dry  
Title: **AUTOMOTIVE MAP POCKET HAVING AN  
ELECTROLUMINESCENT LAMP AND METHOD OF MAKING  
THE SAME**  
Attorney Docket: MASL-52  
Confirmation No.: 5635

Cincinnati, Ohio 45202

March 21, 2005

Mail Stop PETITIONS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RENEWED PETITION UNDER 37 C.F.R. § 1.47(a)**

On December 22, 2004, a petition was filed under 37 C.F.R. § 1.47(a) to accept a previously submitted and unsigned Declaration by Bogdan Radu, a joint inventor refusing to join in the above-identified application for patent. On February 11, 2005, the Office of Petitions mailed out a letter stating that the petition had been dismissed. This letter is included herewith as Appendix A. The letter stated:

the transmittal letters placed in evidence by Petitioner and alleged to have been sent to Mr. Radu clearly indicate that only an oath/declaration, and not a copy of the entire application (description, claims, drawings) were mailed to the non-signing inventor Mr. Radu in an effort to contact him and have him execute the oath/declaration. (emphasis in original)

(Dismissal Letter mailed February 11, 2005, p. 2). The Petitioner respectfully disagrees and requests reconsideration of the Petition in view of the following remarks.

The Petition, Statement of Facts and the transmittal letters filed on December 22, 2004, and attached hereto as Appendix B, all stated that a copy of the application had been sent to Mr. Radu along with the Declaration for his signature. For instance, in the Petition, it stated: "On one or more occasions, Mr. Radu was presented with the patent application along with a Declaration for execution through his attorney." (Petition filed on December 22, 2004, p. 2, emphasis added).

Moreover, in the Statement of Facts previously submitted by the undersigned attorney, it stated: "On November 1, 2004, a copy of the patent application and a Declaration were forwarded along with a letter to Mr. Radu's counsel requesting execution of the Declaration by Mr. Radu." (Statement of Facts filed on December 22, 2004, p. 3, emphasis added).


Furthermore, the transmittal letter that was sent to Mr. Radu's attorney (Exhibit D in the original Petition) also stated that a copy of the application was sent with the Declaration. In particular, in that letter it stated: "As you are aware, Bogdan Radu is currently named as an inventor in the above-identified patent application (copy enclosed). As such, please also find enclosed a Declaration and Assignment for execution by Mr. Radu." (Transmittal Letter, p. 1, emphasis added).

Petitioner believes that the Petition, as originally filed on December 22, 2004, contains sufficient evidence that the patent application, which included the specification, claims and drawings, was presented along with the Declaration to Mr. Radu, via his attorney, for his execution. Consequently, Petitioner respectfully requests reconsideration and granting of the Petition submitted under 37 C.F.R. § 1.47(a).

Petitioner believes that no fees are due in connection with this Renewed Petition under 37 C.F.R. § 1.47(a). However, if such fees are necessary, the Commissioner may charge any necessary fees to Deposit Account 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

  
Steven W. Benintendi  
Reg. No. 56,297

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441 Vine Street  
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**CERTIFICATE OF FACSIMILE**

I hereby certify that this correspondence for  
Application No. 10/711,636 is being facsimile  
transmitted on December 22, 2004.

  
Kevin G. Rooney, Reg. No. 36,330

12/22/04  
Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.: 10/711,636  
Filed: September 29, 2004  
Group Art Unit: Unknown  
Examiner: Unknown  
Applicant: Bogdan Radu and Alan G. Dry  
Title: **AUTOMOTIVE MAP POCKET HAVING AN  
ELECTROLUMINESCENT LAMP AND METHOD OF MAKING  
THE SAME**  
Attorney Docket: MASL-52  
Confirmation No.: 5635

Cincinnati, Ohio 45202

December 22, 2004

Mail Stop PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**PETITION UNDER 37 C.F.R. § 1.47(a)**  
**TO ACCEPT UNSIGNED DECLARATION**

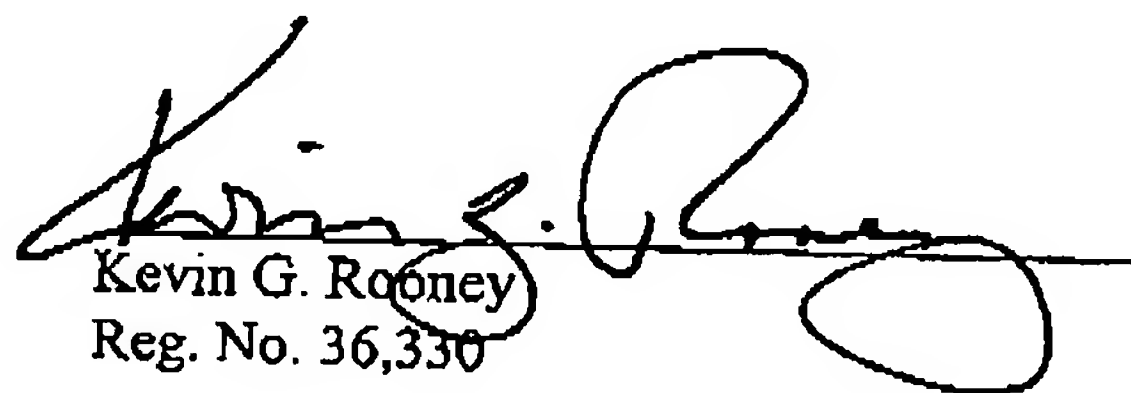
Applicant Alan G. Dry, hereby petitions the Patent Office to accept the previously  
submitted and unsigned Declaration by Bogdan Radu, a joint inventor refusing to join in the  
above-referenced application for patent. Attached is a Statement of Facts in support thereof.

As set out in the accompanying Statement of Facts and attached Exhibits, joint inventor Alan G. Dry signed and submitted a Declaration in conjunction with the filing of the above-referenced application. This Declaration was submitted without the signature of joint inventor Bogdan Radu. On one or more occasions, Mr. Radu was presented with the patent application along with a Declaration for execution through his attorney. Mr. Radu, however, continues to refuse to sign and join in the application for patent. In view thereof, Applicant requests acceptance of this petition to preserve his rights or to prevent irreparable damage.

This is authorization for the Commissioner to charge \$200.00 for the petition fee to Deposit Account 23-3000. Applicant believes that no other fees are due in connection with this petition. However, if such petition is due or any other fees are necessary, the Commissioner may consider this to be a request for such and charge any necessary fees to Deposit Account 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

  
Kevin G. Rooney  
Reg. No. 36,330

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K:\MASI\5211.47(a) Petition.wpd

MAR 21 2005

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/711,636  
Filed: September 29, 2004  
Art Unit: Unknown  
Applicant(s): Bogdan Radu and Alan G. Dry  
Title: AUTOMOTIVE MAP POCKET HAVING AN ELECTROLUMINESCENT  
LAMP AND METHOD OF MAKING THE SAME  
Atty. Docket: MASL-52  
Conf. No: 5635

Cincinnati, Ohio 45202

December 22, 2004

the specification of which:

- (a) ☐ is attached hereto
- (b) ☒ was filed on September 29, 2004, and was accorded Application Serial No. 10/711,636.
- (c) ☐ was described and claimed in International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ and as amended on \_\_\_\_\_  
(If any).

**STATEMENT OF FACTS IN SUPPORT OF FILING  
ON BEHALF OF NON-SIGNING INVENTOR (37 CFR §1.47a)**

This statement is being made to provide proof of the pertinent facts establishing the efforts made to obtain execution of a Declaration by Bogdan Radu, the non-signing joint inventor, and his refusal to sign same for the above-identified patent application. Accordingly, this action is necessary to preserve the rights of the parties or to prevent irreparable damage.

This statement is being made by the available person having first-hand knowledge of the facts recited therein.

**IDENTIFICATION OF PERSON MAKING THIS STATEMENT OF FACTS**

Name: Steven W. Benintendi  
Address: Wood, Herron & Evans, L.L.P.  
2700 Carew Tower  
441 Vine Street  
Cincinnati, Ohio 45202

**LAST KNOWN ADDRESS OF THE NON-SIGNING INVENTOR**

Name of non-signing inventor: Bogdan Radu  
Last known address of non-signing inventor: 16011 Knollwood Drive, Dearborn, Michigan 48120

**STATEMENT OF FACTS**

I am an attorney for the law firm of Wood, Herron & Evans, LLP. On, or about, July 1, 2004, I began corresponding with Bogdan Radu for purposes of preparing the above referenced and now filed U.S. patent application. At that time, Mr. Radu was an employee of the Lear Corporation. The invention was made jointly by Mr. Radu and Mr. Alan G. Dry while employed by the Lear Corporation. Mr. Radu agreed in writing to assign all inventions made during employment to the Lear Corporation, as evidenced by the "Employee Confidential Information and Intellectual Property Agreement" attached as Exhibit A. It is apparent that Mr. Radu signed this document on October 17, 2001.

Between July 1, 2004 and August 19, 2004, Mr. Radu and I corresponded on several occasions to discuss additional information that Mr. Radu agreed to supply to assist in the preparation of the patent application. On August 19, 2004, I received a letter from Mr. Radu's personal attorney, Karen Smith Kienbaum, as an attachment to an e-mail, requesting that all contact with Mr. Radu be ceased. A copy of this correspondence is attached as Exhibit B.

On September 28, 2004, the Lear Corporation authorized Wood, Herron and Evans, L.L.P. to file the U.S. application subsequently accorded Application Serial No. 10/711,636 with the U.S. Patent & Trademark Office along with the Declaration of Exhibit C signed by Mr. Dry but unsigned by Mr. Radu.

On November 1, 2004, a copy of the patent application and a Declaration were forwarded along with a letter to Mr. Radu's counsel requesting execution of the Declaration by Bogdan Radu. This letter further requested that the executed Declaration be received by November 26, 2004. A copy of the letter is attached as Exhibit D, which also includes a copy of a signed delivery receipt. To date, I have received neither a response to my letter nor a signed Declaration.

Date:

12/22/04

Steven W. Benintendi  
Steven W. Benintendi